

# TENNESSEE REGULATORY AUTHORITY

Deborah Taylor Tate, Chairman  
Pat Miller, Director  
Sara Kyle, Director  
Ron Jones, Director



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

## NOTICE OF HEARING

**DOCKET:**    **03-00491 - Implementation of the Federal Communications Commission's  
Triennial Review Order – 9 Month Proceeding – Switching**

**03-00526 - Implementation of the Federal Communications Commission's  
Triennial Review Order – 9 Month Proceeding – Hot Cuts**

**03-00527 - Implementation of the Federal Communications Commission's  
Triennial Review Order – 9 Month Proceeding – Loop and Transport**

**DATE:**       **March 24, 2004**

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The above-referenced Dockets came before the Directors of the Tennessee Regulatory Authority ("TRA") at the March 22, 2004 Authority Conference as a result of comments submitted by the Parties to these Dockets at the request of the Hearing Officer in TRA Docket No. 03-00491. The comments expressed the views of the Parties regarding the impact of the decision in *United States Telecom Association v. FCC* ("USTA II") issued by the D.C. Circuit Court of Appeals on March 2, 2004.

At the Authority Conference, the voting panel for each of these Dockets unanimously decided to suspend indefinitely the remainder of each procedural schedule for hearings and post-hearing briefs and to hold a hearing for the following limited purposes:

- 1       The Parties will submit into the record of each docket referenced above the pre-filed testimony and exhibits (without a live oath being taken by the witness), discovery, and excerpts of the records of similar proceedings in Florida and Georgia once agreed upon by the Parties, all of which shall be admitted into the record subject to the right of the Parties to make legal objections and to engage in cross examination at a future date established by the TRA. The Parties shall be responsible for identifying the pre-filed testimony and exhibits to be entered into the record. For the purposes of this limited hearing, witnesses need not be present.
  
2.       Counsel for the Parties shall be available to make presentations, limited in duration to no more than two hours per side (e.g., two hours for BellSouth and two hours collectively for the CLECs), with fifteen additional minutes allotted for a presentation by the Consumer Advocate and Protection Division of the Attorney General's Office. Each presentation shall include (1) an overview of the evidence filed in each of the above-referenced Dockets and (2) a discussion of the impact of USTA II on the Triennial Review Order ("TRO"), the TRA's obligations under the TRO, and any other related proceedings before the TRA. Counsel for the Parties shall also be prepared to answer any questions from the Directors concerning this and any other related issue.

The various voting panels initially agreed to schedule this limited hearing for Monday, March 29, 2004. Pursuant to a request of the Parties, this limited hearing will be held on **Tuesday, March 30, 2004, beginning at 9:00 a.m** in the Hearing Room on the Ground Floor of the TRA at 460 James Robertson Parkway, Nashville, Tennessee.

Participants with disabilities who require special accommodations or alternate communications formats should contact Holly Russ, the Tennessee Regulatory Authority ADA-EEO/AA Coordinator/Office, at 741-2904 ext. 138 or 1-800-342-8359 so that reasonable accommodations can be made.

**FOR THE TENNESSEE REGULATORY AUTHORITY:**

*Deborah Taylor Tate / by permission*  
*JEC*

Deborah Taylor Tate  
Chairman

cc: Parties of Record  
Interested Parties